

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

YOUFIT HEALTH CLUBS, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-12841 (MFW)

(Jointly Administered)

Ref. Docket No. 821

**AGREED ORDER GRANTING LIMITED RELIEF FROM
THE AUTOMATIC STAY WITH RESPECT TO CLAIM OF JACKLYN STUMP**

Upon consideration of the *Joint Motion for Entry of Agreed Order Granting Limited Relief from the Automatic Stay with Respect to Claim of Jacklyn Stump* (the “**Motion**”);² and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated as of February 29, 2012; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having jurisdiction to enter a final order consistent with Article III of the United States Constitution; and venue of these chapter 11 cases and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and this Court having determined that there is good and sufficient cause for the relief set forth in this Order; and after due deliberation thereon,

¹ The last four digits of YouFit Health Clubs, LLC’s tax identification number are 6607. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the claims and noticing agent at www.donlinrecano.com/yfhc. The mailing address for the debtor entities for purposes of these chapter 11 cases is: 1350 E. Newport Center Dr., Suite 110, Deerfield Beach, FL 33442.

² Capitalized terms not otherwise defined herein shall have the same meanings ascribed to them in the Motion.

IT IS HEREBY ORDERED THAT:

1. Subject to Paragraphs 3, 4, and 5 below, the automatic stay pursuant to section 362 of the Bankruptcy Code is modified for the limited purpose of allowing Ms. Stump to collect solely on the proceeds under the Debtors' applicable insurance policy in connection with the State Court Action. Upon Ms. Stump's receipt of the proceeds, Ms. Stump shall dismiss the State Court Action with prejudice.

2. The applicable insurance carrier is authorized, but not directed, to disburse the proceeds under the applicable insurance policy to Ms. Stump in connection with the State Court Action.

3. Ms. Stump waives any and all claims related to the State Court Action against the Debtors' present and former officers, directors, professionals and employees and YF FC Acquisition LLC (together with its affiliates and subsidiaries, collectively, the "Buyer"). Without limitation, the foregoing waiver shall not constitute a waiver of any right of Ms. Stump to collect solely as against the Debtors' applicable insurance policy or any proceeds thereof, to the extent any such proceeds are available to Ms. Stump under the terms of such insurance policy.

4. Ms. Stump's recovery, if any, in the State Court Action shall be limited solely to the extent of the Debtors' applicable insurance policy and any proceeds thereof, and Ms. Stump shall not be entitled to any recovery against the Debtors or their estates or the Buyer in the State Court Action. Neither the Debtor, their estates nor any successors thereto, nor the Buyer, shall be obligated to pay any amounts due and owing under any applicable insurance policy, including, but not limited to, any self-insured retention, deductible or other amount on account of any judgment or settlement.

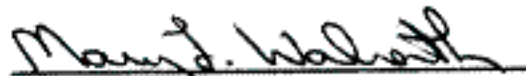
5. Nothing herein is intended or shall be deemed to be a stipulation, agreement, representation, warranty, or admission by the Debtors or their estates that (a) the Debtors or their estates are liable to Ms. Stump for any amounts or that (b) any causes of action, claims or damages alleged in the State Court Action are covered in whole or in part under of any of the Debtors' applicable insurance policy. Any causes of action, claims, or damage alleged in the State Court Action are subject to the terms conditions, exclusions and limitations of such insurance policy as they may or may not apply. The aggregate limits of any such insurance policy are or may be subject to reduction, depletion or exhaustion by payments made thereunder with regard to any pending or future claims, and no representations to the contrary are asserted. Any amounts necessary to collect any insurance proceeds shall be borne solely by Ms. Stump.

6. The automatic fourteen (14) day stay provided in FED. R. BANKR. P. 4001 is immediately suspended and waived.

7. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: March 30th, 2021
Wilmington, Delaware

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MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE